

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, July 12, 2022**

Council Members M.C. Keegan-Ayer, President; Michael Blue, Vice-President, Jerry Donald, Jessica Fitzwater, Kai Hagen, Phil Dacey and Steve McKay were present for the meeting.

Also present were Ragen Cherney, County Council Chief of Staff; Catherine Keller, Assistant County Attorney; and Nancy Luna, Executive Assistant, County Council.

Council President M.C. Keegan-Ayer called the meeting to order at 5:30 p.m.

Opening Statement from Council President M.C. Keegan-Ayer

Council President M.C. Keegan-Ayer provided an opening statement at the start of the meeting. Included in that statement was a welcoming to the Legislative meeting for Tuesday, July 12, 2022 and information on how to watch and participate in the meeting. President Keegan-Ayer called roll and a quorum was established for the meeting.

The meeting began with a moment of silence followed by the Pledge of Allegiance.

Action on the Agenda

Council Member Michael Blue moved to approve the agenda as presented. Council Member Jerry Donald seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Public Comment was heard from:

- None

Motion to go into Closed Session

Council President read into the record the Closing Statement for the closed session. The closing statement follows.

A motion was made at 5:37 p.m., by Council Member Jerry Donald, to go into closed session in accordance with Maryland Annotated Code, General Provisions Article §3-305(b)(1) To discuss (i) The appointment, employment, assignment, promotion,

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discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter that affects one or more specific individuals. Council Vice President Member Michael Blue seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

***The council went into closed session at 5:40 p.m.*

Public Objections for County Council going into Closed Session

- None

The Council reconvened at 6:15 p.m., and President Keegan-Ayer re-established a quorum.

Business Items:

**Revisions to Section 1-16-106 of the Frederick County Subdivision Regulations–
Water and Sewer Facilities**

Mark Schweitzer, Division Director, Water and Sewer Utilities Division, presented information to the Council on Revisions to Section 1-16-106 of the Frederick County Subdivision Regulations – Water and Sewer Facilities

Amendment of the Ethics Law

Bryon Black, County Attorney, Office of the County Attorney, presented information to the Council on Amendment of the Ethics Law

Proposed Charter Ballot Questions

Council Member Steve McKay presented Amendment 1 to the Frederick County Charter – Action on the Budget by the Council

Article 5. Budget and Finance, Section 506. Action on the Budget by the Council

(a) After a public hearing, the Council may decrease, **INCREASE** or delete any items in

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the Budget, except those required by State law, by provisions for debt services on obligations then outstanding for estimated cash deficits. The Council shall have no power to change the form of the Budget as submitted by the Executive, to alter revenue estimates, or to increase [any expenditure] THE BUDGET recommended by the Executive, unless expressly provided in State law and except to correct mathematical errors. **AN INCREASE OF ANY ITEM SHALL NOT RESULT IN THE CREATION OF A NEW PROJECT, PROGRAM OR OFFICE, AND SHALL HAVE AN OFFSETTING AND EQUAL DECREASE IN THE FISCAL YEAR BUDGET.**

(b) Except as provided in subsection (c) of this section, any change in the proposed Budget to decrease, **INCREASE** or delete an item in the Budget made pursuant to subsection (a) of this section shall constitute a change of substance requiring that a public hearing be held following the posting of a fair summary of the change plus the date, time and place of the public hearing. This notice must be posted on the County website at least two days in advance of the public hearing.

(c) A decrease, **INCREASE**, or deletion of one or more items in the Budget may not constitute a change of substance in the proposed Budget if the decrease, **INCREASE**, or deletion constitutes less than one percent change in the total Budget or less than fifty percent decrease in any one line item in the Budget

Council Member Jessica Fitzwater presented Amendment 2 to the Frederick County Charter – County Council – Salary

207. Salary

For the performance of public duties under this Charter, each council member shall receive a Salary of \$22,500 per annum. **IN ADDITION TO SALARY, THE COUNCIL MEMBERS MAY BE ENTITLED TO RECEIVE ALLOWANCES AND FRINGE BENEFITS AS THOSE TERMS ARE DEFINED IN THIS CHARTER.** A council member may not accrue annual leave or be entitled to any payment in lieu thereof. The Salary **AND ANY ALLOWANCES AND FRINGE BENEFITS ALLOCATED IN THE BUDGET** shall be in full compensation for all services performed, but may not preclude reasonable and necessary expenses as may be provided in the Budget. The Council shall establish by ordinance a Compensation Review Commission every four years to review the Council's salary **AND FRINGE BENEFITS** in accordance with the provisions of Article 25A Subsection 5(AA) of the Annotated Code of Maryland. The Council may accept, reduce, or reject the Commission's recommendation, but it may not increase any recommended item

Council Vice President Michael Blue presented Amendment 3 to the Frederick County Charter – Right to Organize, Collectively Bargain, and Binding Arbitration for Career Fire Fighters

Article 7. Miscellaneous, 705. Right to Organize, Collectively Bargain, and Binding Arbitration for Career Fire Fighters.

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(a) Career fire fighters shall have the right to organize and bargain collectively regarding wages, benefits, working conditions and/or terms and conditions of employment through representative employee organizations of their own choosing as provided by ordinance of the County Council.

(b) In addition to the rights granted in subsection (a) of this Section to organize and bargain collectively, the County Council shall provide by ordinance for binding arbitration with authorized representatives of the appropriate employee bargaining unit in order to resolve labor **NEGOTIATION** disputes with the County's career fire fighters. The ordinance shall provide for the appointment of a neutral arbitrator by the parties to the arbitration who shall issue **AN AWARD** [a binding decision] to be implemented as part of the following year's budget process. **THAT AWARD SHALL BE BINDING ON THE COUNTY EXECUTIVE, PROVIDED THAT DECISION IS FINAL NO LATER THAN MARCH 1. THE COUNTY EXECUTIVE SHALL PROPOSE A BUDGET FOR THE FOLLOWING FISCAL YEAR THAT FUNDS THE ARBITRATOR'S AWARD IN ACCORDANCE WITH SECTION 503 OF THIS CHARTER. ANY ARBITRATION AWARD MADE PURSUANT TO SUCH ORDINANCE SHALL NOT BE BINDING ON THE COUNTY COUNCIL IN ACCORDANCE WITH SECTION 506 OF THIS CHARTER**

Under unanimous consent the Council agreed to hold a public hearing on all three (3) amendments on Thursday, July 21, 2022, at 7:00 pm.

Third Reading Calendar:

Bill No. 22-10 - Amend the Adequate Public Facilities Ordinance - Council Members Steve McKay and Kai Hagen.

Council Member Steve McKay moved to withdraw Bill No. 22-10 – Amend the Adequate Public Facilities Ordinance. Council Member Jerry Donald seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

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Public Hearing:

To Consider Amended Bill No. 22-12 – Facilities for Functions

Council Member Jessica Fitzwater presented information on Amended Bill No. 22-12 – Facilities for Functions.

Public Comment was heard from:

- None

With no additional speakers President Keegan-Ayer closed public comment.

Public Comment was heard from:

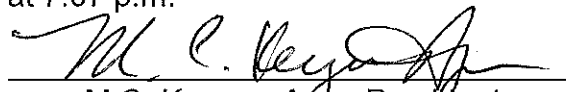
- None

Council Member Comments:

Council Member comments were provided.

Adjourn

The meeting adjourned at 7:07 p.m.


M.C. Keegan-Ayer, President
County Council